

STATE OF WISCONSIN CIRCUIT COURT MILWAUKEE COUNTY  
BRANCH

Frederick Booker  
Waupun Correctional Institution  
P.O. Box 351  
Waupun, Wisconsin 53963

Plaintiff,

v.

Jon Litscher and Sgt. Baumann  
3099 East Washington Avenue  
Madison, Wisconsin 53707

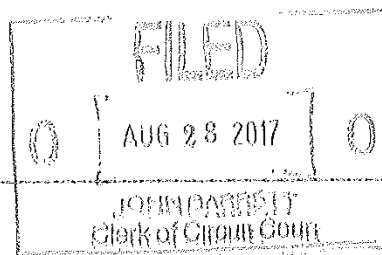
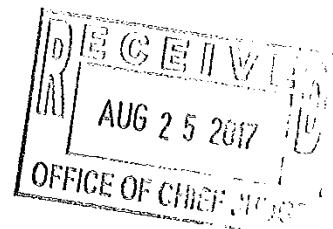
G4S and Zidek  
1395 University Blvd.  
Jupiter, Florida 33458  
Or/And 740 north Plankinton Avenue  
Suite 600  
Milwaukee, Wisconsin 53203

Defendants,

SUMMONS  
CIRCUIT COURT

Class Code :30106,  
30107,30301,30302,  
30701

HON. REBECCA F. DALLET, BR. 40  
CIVIL



STATE OF WISCONSIN

TO; Sgt. Baumann  
3099 East Washington Avenue  
Madison, Wisconsin 53707

You are hereby notified that the plaintiff Frederick Booker named in above caption has filed a lawsuit for negligence and injury with other legal actions against you. The complaint, which is attached, states the nature and basis of the civil action. Within Forty-Five (45) days of receiving this summons, you must respond with a written answer, as that term is used in Wis. Stats. 802.01-08 to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Milwaukee County Circuit Court and Frederick Booker. You may have an attorney help or represent you.

17CV007160

STATE OF WISCONSIN CIRCUIT COURT, OF MILWAUKEE COUNTY

Frederick Booker

Circuit Court\_\_\_\_\_

Plaintiff,

Class Code: 30106, 30107,

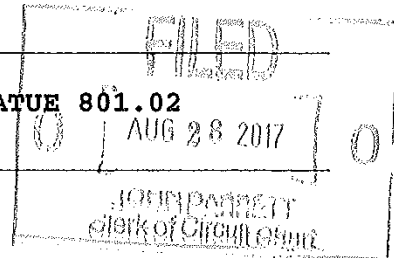
V.

30301, 30302, 30701.

Jon Litscher, Mr. Baumann, Mr. Zidek and G4S ET. al

Defendants,

CIVIL ACTION COMPLAINT WISCONSIN STATUTE 801.02

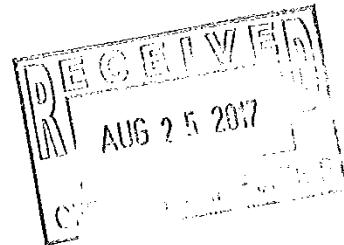


Plaintiff: Frederick Booker

Waupun Correctional Institution

P.O. Box 351

Waupun, Wisconsin 53963



Defendants: Mr. Baumann and Jon Litscher ET. al

3099 East Washington Avenue

Madison, Wisconsin 53707

Defendant: Mr. Zidek and G4S

1395 University Boulevard

Jupiter, Florida 33458

740 North Plankinton Avenue, suite 600

Milwaukee, Wisconsin 53203

## **VENUE**

Milwaukee County Circuit Court Is The proper venue of this action because defendants are located and work in Milwaukee County and plaintiff injuries were completed in Milwaukee County as place of custody, pursuant to Wisconsin statute 801.50.

## **JURISDICTION**

Pursuant to Wisconsin statute 801.02, et seq., Milwaukee County Circuit Court has subject matter and personal jurisdiction of all parties in this action as a competent court in the state of Wisconsin.

## **EXHAUSTION OF ADMINISTRATION REMEDY**

Plaintiff Frederick Booker has exhausted all administrative remedies of injuries pursuant to Wisconsin statute 801.02 DOC. 310.01.

## **NOTICE OF CLAIM**

Pursuant to Wisconsin statute 893.80-82, plaintiff Booker did file notice of injury and claim due to injury before filing this action.

All defendant's Baumann, Zidek, G4S and Litsher are sued in their personal/individual capacity for intentional injury and negligence.

1. On December 2, 2013, defendant Zidek employed by G4S arrived at Waupun Correctional Institution to transfer plaintiff Booker to the Milwaukee County Jail for a court hearing.
2. Upon arriving at the Wisconsin Correctional Institution defendant Zidek gave notice to intake staff to remove plaintiff Booker from his housing unit cell for transfer to the Milwaukee County Jail.
3. Wisconsin Department of Corrections security transfer protocols mandate officers to secure inmates in holding cells prior to transfer.
4. Wisconsin Department of Corrections security transfer protocols mandate officers to secure inmates in ankle and belly restraints before removing them from holding cells for transfer.
5. Defendant Zidek applied ankle and belly restraints on plaintiff Booker inside the holding cell hallway, which is an unassigned area for applying restraints.

6. Defendant Zidek ordered plaintiff Booker to brace himself against a holding cell door jam and to lift his legs individually and in succession while he applied ankle restraints, at which time defendant Baumann maliciously and negligently slammed a 300 lb. steel cell door on Bookers finger. Booker immediately yelled out in agony, " You closed the cell door on my finger".
7. In the presence of defendant Baumann, defendant Zidek continued to apply restraints with no regards to Bookers injury.
8. Defendant Zidek and Baumann laughed after the incident and intentionally ignored and denied Bookers request for medical care.
9. Wisconsin Correctional Institution security camera recordings show defendant Zidek and Baumann intentionally disobeyed transfer security protocols causing serious injury to plaintiff Bookers finger.
10. Officer Zidek intentionally allowed plaintiff Booker to suffer in pain without medical care during transport to the Milwaukee County Jail.

11. Immediately after arriving at the Milwaukee County Jail  
Booker again requested medical care and he was denied.
12. By the time, Plaintiff Booker arrived at the Milwaukee  
County Jail his finger had swollen with blood clot.
13. Approximately 4 hours after arriving at the Milwaukee  
County Jail during post-transport screening the nurse who  
checked Bookers injured finger stated to transport officer  
Zidek, "Bookers finger appears to be broken he should have  
been seen at W.C.I."
14. Plaintiff Booker had to wait an additional 29 hours before  
seeing a medical doctor who prescribed pain medicine and  
ordered an x-ray.
15. On December 4, 2013, defendant Zidek filed an incident  
report with G4S for inmate medical in regards to Bookers  
injury.
16. On March 4, 2014, plaintiff Booker filed a notice of injury  
claim pursuant to 893.82.

17. This civil action has been unnecessarily delayed by defendant Baumann supervisor captain Olsons failure to comply with 801.02 in a timely manner.
18. 801.02 prohibit inmate civil action until exhaustion of administrative remedies.
19. Plaintiff Booker exhausted all administrative remedies pursuant to 801.02 for raised injury.
20. Defendant Baumann has a history of violating the Department of Corrections Policies.
21. Defendant zidek and G4S Incorporate employees has a history of disciplinary and state law violations.
22. Defendants Litscher and G4S continued employment of employees with disciplinary issues establish a state created danger causing plaintiff Bookers injury.
23. Defendant G4S CEO's are not properly registered as a business in the State of Wisconsin to transfer inmates and are in violation of Wisconsin statute 302.06, et seq..

### **CLAIM FOR RELIEF**

The intentional acts of defendants zidek, Baumann and G4S acting under color of state law, did intentionally and negligently caused plaintiff Booker finger to be physically disfigured by slamming a steel door on plaintiffs finger. Denied medical care was and continue to be done with deliberate indifference constituted a violation of the Eight Amendment United States Constitution; Article I, S1-10 and Wisconsin statues.

### **RELIEF REQUESTED**

Plaintiff Booker requests the Milwaukee County Circuit Court to grant the following relief and damages.

- A. Compensatory damages of 20,000 each against defendants Zidek, G4S and Baumann for hospital bills and loss of work wages.
- B. Punitive damages of 40,000 each against defendants Zidek, G4S and Baumann for maliciously and negligently slamming steel door disfiguring plaintiffs finger.
- C. Jury trial with attorney fees included.

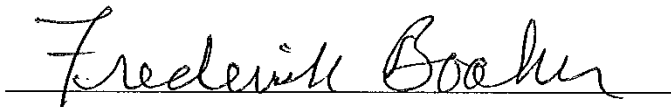


D. Declaratory Judgment.

E. Issue mandatory injunction against defendant G4s to prohibit business transaction pursuant to 302.06.

Dated July 17, 2017

Respectfully Submitted By

A handwritten signature in cursive script, reading "Frederick Booker", is written over a horizontal line.

Frederick Booker #565545 NWCH J-17

Waupun Correctional Institution

P.O. Box 351

Waupun, Wisconsin 53963-0351

U.S. DISTRICT COURT  
FOR THE DISTRICT OF JUDICIAL  
COURT  
JUL 17 2017  
U.S. DISTRICT COURT  
FOR THE DISTRICT OF JUDICIAL  
COURT

SERVED PERSONAL SUBSTITUTE

AT 0855AM THIS 18 DAY OF Sept 20, 17  
AT THE city OF Madison

DAVID J. MAHONEY

BY R. Baker  
Deputy Sheriff